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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 BRITTANY LEE ZARAGOZA (10),
16 EDGAR OMAR HERRERA FARIAS
17 (16),
18 MIGUEL REYES GARCIA,

19 Defendants.

4:15-CR-6049-EFS

Voir Dire Questions to Prospective
Jurors Proposed by Plaintiff

20 Plaintiff, United States of America, requests the Court to address the following
21 voir dire questions to prospective jurors:

- 22 1) The participants in this case are as listed on the Government's Proposed
23 Witness List. Do you know any of the participants in this case?
- 24 2) Do you have any physical impairments, such as eye or hearing problems, or
25 back problems, that would make it difficult for you to be a juror in this case?
- 26 3) Have you ever sued the United States? Do you or any member of your family
27 presently have any claim against the United States?

- 1 4) It is expected that your service may last 2-3 weeks. Is there anyone for whom
2 this would be a hardship?
- 3 5) Have you, any member of your family, or any close friend, or any employer had
4 any prior legal training? If so, please describe if you have had such training and
5 the knowledge you gained in such training conflicts with the law that the judge
6 will give you in this case, would you be able to put aside your previous training
7 and accept the law as it is given to you in this case?
- 8 6) Have you or anyone in your family ever been a witness in a criminal case or the
9 victim of a crime?
- 10 7) Do you or any member of your family believe in the legalization of controlled
11 substances? Have you supported legislation or are you a part of any groups that
12 support the legalization of controlled substances? Do any of you believe the
13 government should not prosecute drug crimes?
- 14 8) Have you or any member of your family ever been treated for alcohol or drug
15 addiction or abuse? If yes, does that involvement cause you to have feelings
16 about drugs, which would interfere with your duties as a juror?
- 17 9) Have you or any member of your family ever been arrested for drug possession,
18 use or sale? If yes, does that involvement cause you to have feelings about
19 drugs or law enforcement which would interfere with your duties as a juror?
- 20 10) Has any potential juror here had a bad experience with law enforcement to the
21 extent that it has impacted your opinion of the police?
- 22 11) Do any of you follow local or national stories accusing the police of any form
23 of misconduct? Are you able to separate the information heard though those
24 sources and develop you own opinion as to each witness based upon the
25 evidence? Remain fair and impartial?
- 26 12) Do you have any philosophical, moral, or religious beliefs that would make it
27 difficult for you to judge the guilty or innocence of another person or interfere
28 with your ability to decide this case fairly and impartially?

- 1 13) Have you read or heard any media reports about this case? If so, what do you
2 remember about what you've read or heard? Can and will you disregard what
3 you have read or heard?
- 4 14) All possible defendants may not be on trial here. Will you promise that you
5 will not speculate about the reason for the absence of a possible defendant?
- 6 15) During the course of the trial you might learn that some of the government
7 witnesses are also defendants or persons who pled guilty to their involvement in
8 the same or similar crime. These witnesses may also have prior criminal
9 histories and may receive lighter sentences in exchange for their cooperation
10 and agreement to testify. Do any of you have strong feeling that the
11 government should not call such persons as witnesses?
- 12 i) Do any of you have strong opinions about the government's ability to
13 recommend lighter sentences to those people who agree to cooperate?
- 14 ii) These witnesses may have also assisted in or participated in the crime as
15 alleged. Will you be able to listen to their testimony and continue to
16 evaluate the evidence as a whole? Remain fair and impartial?
- 17 16) Do you understand that the role of a juror is to decide whether or not the law
18 was broken, and not whether the law is itself a good law or a bad law? You will
19 be instructed that sentencing is for the Judge to decide. Will that impact your
20 ability to be fair and impartial?
- 21 17) Since part of the role of a juror is to come to a verdict at the end of the case, do
22 you have any qualms about attempting to come to a verdict?
- 23 18) Is there any reason at all that you would be unable to devote your full attention
24 to this case for the next two to three weeks and render a verdict based solely
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1 upon the evidence in this case and the law you will be given, in a fair and
2 impartial manner without bias or prejudice to either side?

3
4 Dated: September 27, 2018.

5 Joseph H. Harrington
6 United States Attorney

7 s/ Stephanie Van Marter
8 Stephanie Van Marter
9 Assistant United States Attorney

10 s/ Caitlin Baungard
11 Caitlin Baungard
12 Assistant United States Attorney

13 **CERTIFICATE OF SERVICE**

14
15 I hereby certify that on September 27, 2018, I electronically filed the foregoing
16 with the Clerk of the Court using the CM/ECF system which will send notification of
17 such filing to the following:

18
19 Victor Lara, vh_lara@hotmail.com
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